

534.209 Commercial lending and accounts.

1. An association shall not hold more than forty percent of its assets in commercial loans and consumer loans as an annual average based on monthly computations.

2. An association may accept a commercial NOW account. For the purposes of this subsection, a “*commercial NOW account*” is a NOW account, as authorized by section 534.301, subsection 3, for a commercial, corporate, business, or agricultural entity.

3. For the purposes of this section, unless the context otherwise requires:

a. “*Commercial loan*” means a loan to a person borrowing money for a business or agricultural purpose.

b. “*Business purpose*” means a loan to a for-profit entity, or a for-profit activity, including but not limited to a commercial, service, or industrial enterprise carried on for profit, or an investment activity.

c. “*Agricultural purpose*” means as defined in section 535.13.

d. “*Commercial loan*” does not include a loan secured by an interest in real estate for the purpose of financing the acquisition of real estate or the construction of improvements on real estate. In determining which loans are “*commercial loans*” the rules of construction stated in section 535.2, subsection 2, paragraph “b”, apply.

4. For the purposes of this section, a lease of personal property is treated as a commercial loan if a loan to the lessee to acquire the property would have been a commercial loan.

[C97, §1899; S13, §1899-a; C24, 27, 31, §9340, 9341; C35, §9340, 9340-b1, 9341; C39, §9340.01, 9340.04 – 9340.06, 9340.08, 9340.09; C46, 50, 54, 58, §534.25, 534.28 – 534.30, 534.32, 534.33; C62, 66, 71, 73, 75, 77, 79, S79, C81, §534.21; 82 Acts, ch 1253, §19]

C83, §534.75

83 Acts, ch 101, §110

C85, §534.209

87 Acts, ch 171, §34